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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/671,863

09/29/2003

Ju-hwan Kim

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09/07/2006

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EXAMINER

STERLING, AMY JO

ART UNIT

PAPER NUMBER

3632

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/671,863

Applicant(s)

KIM ET AL.

Examiner

Amy J. Sterling

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 4-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8-13 and 39 is/are allowed.
- 6) ☒ Claim(s) 1,4,5,30,32,35 and 38 is/are rejected.
- 7) ☒ Claim(s) 6,7,14-28,31,33,34,36 and 37 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/1/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is the **Final Office Action** for application number 10/671,863. Display Apparatus, filed on 9/29/03. Claims 1, 4-39 are pending. This **Final Office Action** is in response to applicant's reply dated 7/21/06. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Applicant's amendment necessitated any new ground(s) of rejection presented in this Office action.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 8/1/06 and 5/31/06 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

The applicant is reminded that the submission requirement only requires the submission of **relevant art** and does not require the submission of references which would not be considered prior art.

Claim Rejections - 35 USC § 102

Claims 1, 4, 5 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Korea 20-182808.

The '808 patent discloses a base part (200), a monitor body (100), a body bracket (See Figure 2) fixedly coupled to the monitor body, a slider (110) provided in pair (side walls of slider) connected with the body bracket, a guide rail (210) provided in

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a pair parallel and a guide bracket coupled (111) to the guide rails and a spring supporting block (311) provided between the sliders, wherein the spiral spring has a first wound end having a spiral shape and coupled to the guide bracket and a second end extended from the wound part and coupled to the spring supporting block (311) to each other and a spiral spring (312) wherein a first spiral spring is installed in front of the guide bracket and a second spiral spring is installed in the back of the guide bracket and a stand supporting part (200) to provide an accommodating space for the guide rails.

Claim Rejections - 35 USC § 103

Claims 1, 4, 30, 32 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 6189849 to Sweere et al. and in view of United States Patent No. 4601246 to Damico.

Sweere et al. teaches the basic inventive concept including a base part (14), a monitor body (12), a body bracket (34) and connecting assembly (36) and a supporting bracket (62) the body bracket (34) fixedly coupled to the monitor body, a slider (40, 42) in a pair that are connected with the body bracket and a guide rail (20, 22) which has a pair of rails in parallel to each other and a guide bracket (40a, 42a) coupled to the guide rails, wherein the sliders is drawn out from the guide rail to a predetermined length by an upward movement along the guide rail, and at least one spring (54) having the elasticity to support weight of the main monitor, the spring being on a spring supporting block (50) provided between the sliders wherein the spring has a first end coupled to the

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guide bracket and a second end coupled to the spring supporting block (50) and a stand supporting part (30) so as to provide an accommodating space for the guide rails.

Sweere et al. does not specifically teach that the spring is a spiral spring with a wound part having a spiral shape and a coupling part extended from the wound part and coupled to a spring supporting block.

Damico teaches a lift assembly which is biased by a spiral spring (90) having a wound part (94) having a spiral shape and a coupling part extended from the wound part and coupled to a spring supporting block (52), the spring used in order to help lift the desired device in a sliding manner. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention from the teachings of Damico to have used a spiral spring as the spring in order to bias the device in a lifting manner.

Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Korea 20-182808.

It would have been obvious to one of ordinary skill in the art to have made the spring thickness of any material and dimension, in order to support the device in the manner desired, the dimension being a design choice which would be obvious to optimize. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made from the teachings of ('808) to have optimized the dimensions of the device including.

Response to Arguments

The applicant has argued that the Korean patent does not disclose a guide bracket coupled to the guide rails since the bracket is inside the slider. This is unpersuasive in that the term "coupled to" is being mistakenly interpreted in a narrow sense. The term "couple to" does not mean that the device is "touching", "abutting" or "mounted on". The guide bracket is coupled to the guide rails "via" the sliders as a dog may be coupled to its owner via a leash.

The applicant has also argued that the spring supporting block is not provided between the sliders. Again, the applicant is interpreting the claim narrower than actually claimed. The term "between" is interpreted broadly and it is clear that the limitation is met by the diagrams in the patent.

Also the arguments about the springs being positioned in front of and in back of are meaningless, the directions of front and back remaining undescribed by the claim and meaningful only when described.

The applicant has asserted that the keyboard 14 in Sweere et al. cannot be termed a base part. This is unpersuasive in that absent any other description, a keyboard can be the base of a computer and therefore a base part.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in

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the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, using a spring assembly to lift a telescoping assembly was well within the general knowledge and contemplation of one of ordinary skill in the art at the time of the invention.

Allowable Subject Matter

Claims 8-13 and 39 are allowed.

Claims 6, 7, 14-28, 31, 33-34, 36 and 37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art does not disclose four accommodating parts for accommodating the springs and the guide rails on both sides of the guide bracket or a that a ball bearing unit is provided between the guide rail and the slider or wherein the spring supporting block performs a sliding motion along with the sliders.

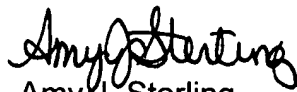
Conclusion

THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action. Any inquiry concerning this communication should be directed to Amy J. Sterling at telephone number 571-272-6823. The fax machine number for the Technology center is 571-273-8300 (formal amendments) or 571-273-6823 (informal communications only). Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist at 571-272-3600.


Amy J. Sterling
Primary Examiner
8/24/06